UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,861	12/31/2003	Stratton C. Lloyd	OIC0118US	6302

60975   7590   12/09/2008
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ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
12/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 September 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5, 8-13, 16 and 22-25* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 8-13, 16, 22-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-5, 8-13, 16, 22-25 are pending in this application and have been examined in response to application amendment filed on 09/30/2008.

2.   Claims 24 and 25 are new.

3.   The previously applied 112 rejection regarding the limitation "the location" is hereby withdrawn in view of applicant's amendment.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5.   The term "significant delay" in claims 1 and 23 is a relative term which renders the claim indefinite. The specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Further, the spec [0018] discloses that "a significant delay" is subjective to the "acceptable level of delay" by one skilled in the art.

6.   Claim 24 recites the limitation "**a** significant delay". The Examiner suggests "**the** significant delay".

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 1-5, 8-13, 16 and 22-25 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Fliess et al. (Fliess, US 7,168,045 B2), Schmitt (US

2004/0104947 A1) and Datta (US 2004/0128618 A1).

9.   As to **INDEPENDENT** claim 1, Fliess discloses a method in a computer system

for generating a display page, the method comprising:

receiving a request to generate a display page, wherein the display page

comprises realtime information and non-realtime information, realtime information

comprises information capable of being retrieved or generated without significant delay

(col.5, lines 19-22; col.6, lines 8-12; realtime information is retrieved via a retrieval

component wherein the realtime information are displayed without significant delay

because no additional processes are required to display the realtime information), and

non-realtime information comprises information for which retrieval or generation

will result in significant delay (col.2, lines 31-38, "business objects", lines 25-30 and

lines 39-44, "graphic objects"; the non-realtime "graphic objects" generated by the

realtime "business objects" via fig.6, "670"; the "reporting and analysis" module

generates associated charts and reports from the source system. Significant delay

relative to the display of the realtime information, because **extra steps (fig.1)** are

needed to transform realtime "business objects" to non-realtime "graphic objects");

retrieving the realtime information to be included on the requested display page

(col.5, lines 19-22; col.6, lines 8-12; realtime information is retrieved via a retrieval

component and a classification component and displayed via a view builder).

Fliess does not specifically disclose if a previously cached version of the non-

realtime information is available, generating the requested display page comprising the

retrieved realtime information and the previously cached non-realtime information; and

if a previously cached version of the non-realtime information is not available,

generating the requested display page comprising the retrieved realtime information and

an indication that the non-realtime information is not yet ready for display, wherein the

indication that the non-realtime information is not yet ready for display is provided in a

location in which the non-realtime information is to be displayed, requesting generation

of the non-realtime information, caching the generated non-realtime information, and

generating the requested display page comprising the retrieved realtime information and

the cached non-realtime information in response to a subsequent request for the

requested display page.

In the same field of endeavor, Datta discloses if a previously cached version of the

[content] information is available, generating the requested display page comprising the

previously cached [content] information (fig.9, "904", "910"; if a content element is

previously cached, display a webpage with the previously cached content element); and

if a previously cached version of the [content] information is not available,

generating the requested display page comprising, requesting generation of the

[content] information, caching the generated [content] information, and generating the

requested display page comprising the retrieved realtime information and the cached

[content] information in response to a subsequent request for the requested display

page (fig.9, "904", "912", "910"; if a previously cached content element is not available,

generate the content element, store the content element in a buffer, then display a

webpage with the content element).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Fliess and Datta before him at the time the invention was made, to modify the

information representation interface taught by Fliess to include web page components

cache Datta with the motivation being to improve web page delivery speed (Datta,

[0002]).

Fliess and Datta does not disclose an indication that the non-realtime information is not

yet ready to be included on the display page, wherein the indication that the non-

realtime information is not yet ready for display is provided in the location in which the

non-realtime information is to be displayed.

In the same field of endeavor, Schmitt discloses an indication that the status of a

content information to be included on the display page, wherein the indication that the

status of the content information for display is provided in the location in which the

content information is to be displayed ([0043], a status indicator monitors and reports

the status of contents represented in the portal, wherein both the content information

and the status indicator are located on same the portal page).

It would have been obvious to one of ordinary skill in the art, having the teaching of

Fliess and Datta and the teaching of Schmitt before him at the time the invention was

made, to modify the real time / non-real time information representation interface taught

by Fliess and Datta to include status indicators taught by Schmitt with the motivation

being to alert a user to the status or change in status that is relevant to the user

(Schmitt, pg.2, [0012]).

10.   As to claim 2, Schmitt discloses a link for requesting the display page (pg.4,

[0051], [0053]; the status indicator is fully configurable in accordance to user input).

11.   As to claim 3, Fliess discloses the request to generate the display page is

received from a user (col.4, lines 4-6; the "client" sends a request to display the page).

12.   As to claim 4, Fliess discloses the request to generate the display page is

received when a user logs on to one of the computer system and a client coupled to the

computer system (fig.7, "700"; col.8, lines 4-6).

13.   As to claim 5, Fliess discloses the display page is a homepage (col.5, lines 54-57; the "web portal" provides an entry point for the user interface).

14.   As to claim 8, Fliess discloses the generated information includes a graphical representation of information (col.1, lines 24-25; fig.1, "110"; business information are represented as different graphic objects).

15.   As to **INDEPENDENT** claim 9, see rationale addressed in the rejection of claim 1 above.

16.   As to claim 10, claim 10 incorporates substantially similar subject matter as claimed in claim 2, and is rejected under the same rationale.

17.   As to claim 11, claim 11 incorporates substantially similar subject matter as claimed in claim 3, and is rejected under the same rationale.

18.   As to claim 12, claim 12 incorporates substantially similar subject matter as claimed in claim 4, and is rejected under the same rationale.

19.   As to claim 13, claim 13 incorporates substantially similar subject matter as claimed in claim 5, and is rejected under the same rationale.

20.   As to claim 16, claim 16 incorporates substantially similar subject matter as claimed in claim 8, and is rejected under the same rationale.

21.   As to claim 22, see rational addressed in the rejection of claim 1 above. Further, refreshing a display screen for the purpose of updating the status of a currently displayed web page is notoriously well known in the art.

22.   As to claim 23, see rationale addressed in the rejection of claim 1 above.

23.   As to claim 24, Fliess does not disclose wherein a significant delay comprises a delay of one second or more.

It would have been obvious to one of ordinary skill in the art, having the teaching of Fliess before him at the time the invention was made, that the significant delay can be one second or more depending on variables such as network transmission rate, processing hardware capabilities, and level of complexity of the graphic objects.

24.   As to claim 25, Fliess discloses retrieving a selected information used to generate a portion of the display page; and regenerating the display page comprising

the realtime information, the non-realtime information and the selected information in

response to a request related to such selected information (col.4, lines 4-10).

Response to Arguments

25.   Applicant's arguments filed 09/30/2008 have been fully considered but they are

not persuasive.

26.   Applicant argues that Fliess does not disclose the difference between realtime

and non-realtime information.

In response to applicant's argument, Fliess discloses having a non-realtime "graphic

objects" (col.2 lines 39-44) generated by the realtime "business objects" (col.2, lines 31-

38) via a "reporting and analysis" module (fig.6, "670"; col.7, lines 42-50) that generates

associated charts and reports from the source system. Delay relative to the display of

the realtime information is presented, because extra steps/computation (fig.1; col.2,

lines 25-30) are needed to transform realtime "business objects" to non-realtime

"graphic objects".

Further, in accordance with **applicant's spec [0018]**, "realtime information" refers to

information that can be quickly retrieved or generated with little or no computation being

performed in comparison with "non-realtime information"; and "non-realtime information"

in contrast, refers to information that cannot be quickly retrieved or generated because **additional** steps/computation are needed.

27.   Applicant argues that Fliess and Datta do not disclose a previously cached version of the non-realtime information and caching the generated non-realtime information.

In response to applicant's argument, Fliess discloses non-realtime information (see Office Action, par. 28). Datta discloses a previously cached version of the [non-realtime] information (fig.9, "904", "910"; if a content element is previously cached, display a webpage with the previously cached content element) and caching the generated [non-realtime] information (fig.9, "904", "912", "910"; if a previously cached content element is not available, generate the content element, store the content element in a buffer, then display a webpage with the content element). Thus the combination of Fliess and Datta discloses a previously cached version of the non-realtime information and caching the generated non-realtime information.

28.   Applicant argues that Fliess and Schmitt do not disclose an indication that the non-realtime information is not yet ready for display.

In response to applicant's argument, Fliess discloses non-realtime information (see office action par.28) Schmitt discloses an indication that the status of a content

information to be included on the display page, wherein the indication that the status of

the content information for display is provided in the location in which the content

information is to be displayed ([0043], a status indicator monitors and reports the status

of contents represented in the portal, wherein both the content information and the

status indicator are located on same the portal page; [0036], wherein the status

information includes changes and availabilities to the underlying content information).

29.   Applicant argues that Schmitt does not disclose the indication that the [content]

information is not yet ready provided in a location in which the [content] information is to

be displayed.

In response to applicant's argument, Schmitt discloses an indication that the status of a

content information to be included on the display page, wherein the indication that the

status of the content information for display is provided in the location in which the

content information is to be displayed ([0043], a status indicator monitors and reports

the status of contents represented in the portal, wherein both the content information

and the status indicator are located on same the portal page).

Conclusion

30.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the
shortened statutory period will expire on the date the advisory action is mailed, and any
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
the advisory action. In no event, however, will the statutory period for reply expire later
than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to HAOSHIAN SHIH whose telephone number is (571)270-
1257. The examiner can normally be reached on m-f 0730-1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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